

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

VIJAYA LAKSHMI MADASU,

Plaintiff,

v.

CARRICK'S AUTO,

Defendant.

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Case No. 4:25-cv-712-JDK-JDL

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Vijaya Lakshmi Madsu, proceeding *pro se*, filed this action against Defendant Carrick's Auto on July 3, 2025, asserting claims related to Defendant's repossession of Plaintiff's vehicle. Docket No. 1. The case was referred to United States Magistrate Judge John D. Love for findings of fact, conclusions of law, and recommendations for disposition of the action.

On July 7, 2025, Judge Love issued a Report recommending that Plaintiff's case be dismissed without prejudice for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(h)(3). Docket No. 3. The Report concluded that Plaintiff failed to allege that she and Defendant were citizens of different states and the requisite amount in controversy under 28 U.S.C. § 1332. *Id.* Nor did Plaintiff present a federal question pursuant to 28 U.S.C. § 1331. *Id.* The Report was delivered to Plaintiff,<sup>1</sup> however, no objections were filed.

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<sup>1</sup> The tracking information for the delivery of the Report to Plaintiff's address indicates that it was

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).


Here, no objections have been filed. The Court therefore reviews the Magistrate Judge’s findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law”).

Having reviewed the Magistrate Judge’s Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 3) as the findings of this Court. It is therefore **ORDERED** that this case is **DISMISSED** without prejudice for lack of subject matter jurisdiction.

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successfully delivered on July 10, 2025, which made Plaintiff’s objections due by July 25, 2025.  
 See *Tracking Number:* 70202450000188144365, USPS.COM,  
<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=70202450000188144365%2C&tABt=false> (last visited August 12, 2025).

So **ORDERED** and **SIGNED** this 14<sup>th</sup> day of **August, 2025**.

  
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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE